192 234 574 supply them with milk. In Kinyaga (Shangugu) and in Bugoyi, it is called umuheto. In Ndorwa it is called kibere. [58]

IMBYUKURUKE. A choice cow destined to be shown to a visiting high personage and to provide him with milk during his stay.

192 431 231 IBIHEMBO. Gift of cows to the wife of the king, a great chief, or a patron when she has a child.

The gift made by the Bahutu consisting simply of milk or beer is called y'ibihembo.

192 231 426 INTIZO (1). 1) A man who has been despoiled by his chief receives a cow from a friend as a loan (intizo) until justice is done. The friend may perhaps only give him milk (intizo), because by sending a cow he would ostensibly show his friendship and would thus risk incurring the wrath of the chief.

1. From gutiza, "to lend."

192 231 2) A cattle owner must give at least one milch cow to his cowherd (umushumba) who does not have time to cultivate for himself.

[465] 3) A Muhutu who cultivates the fields of a Mututsi receives milk (intizo) from him morning and evening.

4) A cow is given to two farmers who share the milk and the payments required in exchange (2).

2. Milking a cow is equal to the salary for one day of cultivation.

[681] 431 IMPONGANO. A cow given in reparation for an offense or as a present to the one (inshuti) whose intervention may help to win the lawsuit.

[696] INGURANO. A redemption cow given by a patron or the head of a family to keep the guilty one from being condemned. [59]

192 437 231 INKUNGURANYO (1). Primus, owner of a heifer approaches Secundus to ask him to exchange the cow for a female calf or for two bulls. They must not give anything in addition in order to have an absolute right over the exchanged object, but neither of them has the right to take back the exchanged value.

1. From gukunguranya, "to exchange two cows of equal value definitely and irrevocably."

683 Muhutu has been wounded he receives the indwaza (lit., who cares for) indemnity consisting of one or two goats. If the author of the blows is a Mututsi, he must lend a cow to the Muhutu so that he can have its milk for as long as there is any; the Muhutu gets the full ownership of a bull calf when he returns the cow.

5. Murder

682 Murder cases were under the exclusive jurisdiction of the Mwami at the time when he had the right of life and death over his subjects (1).

1. Cf. Government and Administration, Royal Power, p. 74, note 1.

682 If the murderer (gatozi) and his victim belonged to the same
696 social class, the king ordered the exercise of private vengeance
628 (guhora, to avenge; kwikorera, to avenge one's self), which resulted in endless conflicts between families and clans. The Mwami, however, could throw on the murderer, the full responsibility of his deed, and the relatives of the victim could not then resort to the "vendetta."

682 [112] If the murderer was a Muhutu and the victim a Mututsi, two deaths were exacted.

On the other hand, if a Muhutu had been killed by a Mututsi, recourse to direct vengeance was impossible, but the Mwami could turn over a member of the Mututsi's family to the victim's relatives and have him killed. However, if a fairly important Mututsi killed a Muhutu, neither he himself nor his property would be affected. This iniquitous ruling did not rouse the natives' indignations because it conformed with the law of the land and they therefore submitted to it.

The right of pardon did not exist. However, the king could stop the vengeance (gucha inzigo, lit., to cut the vengeance) and offer compensation (wergild) to the family of the dead man; this was when the latter was a Muhutu, as the Batutsi accepted only blood atonement. For the king to agree to recognize the benefit of the compensation to the victim's family, the dead man had

682 obviously to be an important person, such as an umugaragu of the Mwami. In carrying out the sentence, the murderer had to give the victim's parents many heads of cattle, thirty or sometimes even more.

If a person lost his life in a fire started by a malicious person, the guilty party (or one of his family) was punished by having his head cut off by a member of the victim's family.

683 The abalozi (sorcerers) accused of having caused the death of a man by their evil spells were also punished by the death penalty.

696 If the murderer took refuge in the rugo of a chief, he found there inviolable sanctuary. It would have been a lack of respect to authority to kill a man at the chief's home and the administrators of justice might have been put to death for doing so. In such a case the chief himself brought the murderer before the Mwami.

[113] 6. Special Cases

687 Exceptionally serious cases had to be submitted to the Mwami. The crime of lese majesty brought with it, in the recent past, the death penalty to the perpetrator. The Batwa executioners were charged with carrying out the sentence by strangling (guhotora), spearing (gutera inchumu), cudgeling (gukubita inkoni), or killing with an axe (gukubita intorezo). The criminal could also be thrown into a pit located in Bugessera (near Nyanza) after having been strangled (1), or else he was blinded with a hot iron (2).

1. Abanyiginya accused of having plotted against the Mwami were punished in this way.

2. A chief of the neighborhood of Issave called Kayijuka had his eyes burned out for having shown Nyirayuhi, mother of King Musinga, to a missionary. At this time the custom of the country did not allow noble women to be seen by foreigners.

695 787 opened up its body, and after examining its entrails would give the suitable interpretation.

●696 [119] There is no special procedure in the execution of sentences. If the judgment concerns stolen cows, the plaintif or the abagaragu go and take them from the thief. In other cases the condemned one does it himself, and if, as unlikely, he refuses to do so, the chief would compel him by force.

692 In principle, justice is gratuitous and legal expenses do not exist, but the judges are not indifferent to douceur, which gives an advantage to the powerful and wealthy ones. On the other hand, as a rule, an umugaragu with a palaver brings beer or tobacco to his shebuja so that he will bring his case before the tribunal.

Appeals are dealt with by the provincial chief whose tribunal is organized on the same basis as that of the hill chief. This appeal is called gusuzugura (lit., to despise the chief's justice) or gusubira urubanza (to begin the palaver over again).

In the past a Muhutu did not appeal to the provincial chief but to the umugabe w'ingabo (1).

1. Cf. Government and Administration, Right of War, p. 92.

On the other hand, the provincial chief's tribunal has first cognizance of cases concerning cattle and territorial litigation between hill chiefs. It is also obliged to act in cases of expulsion or dispossession of a Mututsi or a Muhutu by a hill chief.

The Mwami's tribunal is the supreme jurisdiction. The king presides, surrounded by his confidential men who are versed in the customs (abahanga) or by persons of high rank who have the responsibility of being judges.

Normally, the Mwami alone is competent to deal in the first instance, and with no appeal, with criminal affairs, [120] but he may delegate his power to an umutware. If, for example, a provincial chief has denounced a sorcerer to the king, the latter may command the chief to kill the umulozi.

Crimes of high treason and violation of state secrets are also exclusively of his competence.

695 In the past, in criminal cases judged by the Mwami, recourse was had to the gihango test in order to force the accused to

423 person who will pay more tribute or who pleases him for other reasons (No. 19, p. 469). As a rule, however, families live on a piece of land for generations and till the soil for their own benefit and in part for that of their feudal lord. Before the Batussi era, this land was probably for the most part the property of the Bahutu clans (see p. 104). The homesteads inhabited by the Batussi are usually set somewhat apart from those of the Bahutu, outside the confines of fields in the grazing land.

The inhabitants own their huts and, in addition, every-
421 thing they keep inside the huts or carry on their person. Thus, men, women, and children may own property, and the following may be items of property: huts, planted trees, produce still standing in the field or harvested, cattle that have been raised, furniture, tools, clothing, weapons, ornaments, trade objects, etc.

685 Property violations, i.e., damage and theft (uwivi), are
674 frequent, but if someone leaves his hut unguarded, a woven screen in front of the door opening is usually sufficient to keep away uninvited guests. Although the kraals are surrounded by
[417] strong fences and the paths between the fields are often lined with high euphorbia hedges (Plate 20), these have not been put up or grown as a protection against thieves but to pen and restrain the cattle. If a person steals something from [94] a homestead or produce from the fields, he is taken before the mutwale and is sentenced to severe corporal punishment unless he can pay a generous amount in damages of which the mutwale will appropriate one half (No. 4, p. 224).

692 The mutwale or in smaller districts the village chief is
627 the judge who pronounces justice in all cases. Usually the Batwa take care of their legal disputes among themselves without appealing to their Murundi mutwale, but the Batussi and the Bahutu take every matter that cannot be settled by the family council before their mutwale. Usually the plaintiff brings several witnesses with him whenever possible, but at the same time he brings a present for the judge which is not without influence upon the verdict of the latter (No. 19, p. 472). In most cases
● 696 the convicted person receives his corporal punishment from the family members of the plaintiff or from the bodyguard of the chief if he has one. Concerning the types of punishment, see p. 97 .

224 inkezi, and monkeys (1), whose flesh they eat. This makes them

[825] 1. Only the chimpanzee (impndu) and the gorilla (ingagi) escape the cooking pot because, as the Pygmies say with a shade of malice, "they were formerly our peers (ngo n'abatwa bachu) and only with time have they degenerated and turned into animals (ngo zahinduts' inyamaswa)!"

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most "impure" in the eyes of the others. They handle bows and wooden
[411] arrows with great skill. Although they are always on the watch for game, they cannot derive all their subsistance from it. The plants and wild roots of the forest are not sufficient either. In former times,
[579] they used to hold for ransom those travelers who had the temerity to cross their domain, and they raided the Bahutu fields. Now that
463 European authorities have put an end to these acts of pillage, they have found new sources of revenues in the making of ropes, baskets, and bows, which they sell in the villages or take to market. One may no longer say of the Negrillos of Ruanda that they are still at the "gathering stage." They have been beyond it for an indeterminate period of time.

563 The great Batutsi chiefs like to have a few Batwa around them
● 696 and use them chiefly as litter bearers. Many of them live at the capital where they are used in various capacities as guards and watchmen. Executioners are recruited among them. They like to exercise this function, for they keep the victims' remains.

It must be added that they showed unequaled cruelty in the exercise of this horrible function. The screams of the victims aroused no pity in them. European penetration has fortunately put an end to this dismal vocation.

224 The Negrillos live in very primitive huts made of branches,
[342] /36/ which do not provide complete protection against the inclemency of the seasons or wild animals. The latter do not usually arouse much fear in them, since they are familiar with their habits and lairs.

1 [i.e., the eating of various meats by the Batwa. -Analyst]

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1. In actual practice it is the king himself who designates his heir directly during his lifetime, or indirectly through executors, who make known the king's last will after his death.

When the throne was left vacant, there often ensued contests which gave rise to complications and bloody tragedies.

The Mututsi /Batutsi/ chief of the most powerful clan sometimes made his own choice among the sons of the dead king andfforced acceptance of his candidate. This happened in 1896, when Kabale rebelled against the rightful heir, Mibambge IV Rutalindwa, and had Yuhi IV Musinga, his own nephew and the present king, elected instead.

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8. The royal corporation of undertakers called Abanyamugogo. Rightly or wrongly, they claim to be descendants of those who handled the funeral of Ruganzu II Ndori.

We shall mention them again in the section dealing with funeral rites.

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9. Executioners.

They are usually chosen from among the Batwa.

So far as ordinary criminals are concerned, executions take place at the capital. High-ranking culprits are often placed in the custody of a chief, who leads them to the Buberuka or Bugessera provinces.

The unfortunate victims are strangled or smitten down with spears, and then tossed into the pit (urwobo) of Bayanga or into the shifting marsh of Nkonde. Aside from strangulation and drowning,

644 the Banyarwanda also practice dismemberment, otherwise known as
681 the "torment of the hundred wounds."
696 First the flesh of the face, arms, calves, back, etc. are cut up in order to make the victim suffer as long as possible. This refinement of cruelty is carried out mainly in vendettas (guhora).

Impalement is reserved for cattle thieves. There is mention of an unfortunate man whose stake threatened to come out through his side. The operation was begun all over again..., but the patient /377/ died long before it was concluded. The most common torture for persons of medium rank consisted in cutting off their hands and feet and leaving them thus on the spot, where they died of cold if the hyenas did not devour them first. Sometimes death lingered for two or three days because the blood had coagulated and the hemorrhage had stopped.

Some of those unfortunate victims would bellow their torment and thirst, dragging themselves wretchedly on knees and elbows and vainly attempting to come near the huts and implore the pity of human beings. Their doleful cries were heard throughout the night.

[687] Fear suppressed pity, for the slightest act of compassion would have been regarded as high treason. Any show of pity or mercy was punishable by death. Execution by club, spear, or billhook blows and the cutting of the carotid artery were regarded as the mildest and quickest methods for victims entitled to a certain consideration. This category included elders, women, former favorites, and certain court employees. Important personages whom one did not wish to "do away with" (gusonga) were often sentenced to lose their eyes.

Before the arrival of the Europeans, hardly a week went by at the capital without a bloody execution. If several weeks elapsed without one, the fact seemed so extraordinary that the following expression was repeated everywhere, "Peace (or calm) reigns at the capital" (N' ubuhoro ibgami).

614 Sorcery was the cause of condemnation most frequently in-
683 voked. When people had an enemy and wished for revenge or when they coveted a rich man's possessions and wealth, no great effort of the imagination /378/ was needed on their part to prove the culpability of the man whose death they desired. When a man was led before

644 the king following such a denunciation, the sentence was swiftly
683 pronounced. "Nakukijije (You are pardoned)," said the king, if the accused had been so fortunate as to find powerful protectors or to refute peremptorily the accusations of his enemies. "Mumujane ku kivumu (Lead him to the ficus tree)," cried the king to the executioners when the man was condemned.

696 "Come on, we shall pardon you (guino twakukijije)," added the executioners derisively while leading away their prey. The unfortunate creature vainly implored the pity of the king and of the spectators, who just looked away. He was quickly led to a hollow
[152] near the ill-omened ficus tree (ikivumu), where he was to suffer the prescribed punishment under the eyes of the crowd, who loved to
[541] attend those dreadful spectacles (1). The moans, complaints, cries,

1. Capital punishment drew large crowds filled with morbid curiosity and avid for cruel emotions.

and howls of the tormented victims did not stop the executioners from pursuing their deadly task to the end. The sufferings of the condemned persons in no way affected their sensibilities. "Has it been a long time since So-and-So was executed?" they were sometimes asked. "The hyenas have eaten him and even digested him (zamuliye, zamuneye)," they would answer coarsely without changing their tone.

Executioners were seen to prolong the victim's torment for their own gratification, or to lead them to run away by releasing them from their bonds so as to have the pleasure of finishing them on the run. We shall not elaborate on the disgraceful mutilations which those unfortunate individuals were first made to suffer.

686 Many a "rain maker" was killed because he could produce no rain. At times of great drought, those who had the misfortune /379/ of being caught were brought to court. They remained bound for days under the burning rays of the sun, while the populace hurled insults at them.

671 theft, arson, and destruction of crops caused to a neighbor, grazing rights, the levying of taille /head tax/ and forced labor, etc. Culprits [696] of high lineage and wealthy people often extricated themselves with money and innocent people sometimes payed for offenders, especially when false witnesses were suborned.

The Pit of the Bugessera

133 823 681 696 Among the various torture spots such as the swamp, called Nkonde in the Buberuka, the Nshimbo swamp near Lukaza, the Ruboneye swamp near Nyanza, the place called "Ficus-tree spot" (ku Kivumu), certain rapids of the Akanyaru and Nyabarongo rivers, etc., it was the pit of the Bugessera that left the most evil memory. Its reputation is highly sinister, owing to the illustrious offenders who were tossed into it and also to the legends that circulate about this accursed place.

The pit is located in the Bugessera region, not far from one of Lwabugiri's ancient residences, which it is surprising to find in the middle of this deserted region.

The landscape is stark, even wild, and darkened by the memory of the tragic executions it witnessed. /382/

681 696 823 The pit is a sort of depression in a rocky area (ibuye ryasamye), about three or four meters deep. It is more or less filled with stagnant rain water according to the time of year, and it is half choked with mud (1). Clumps of trees of various kinds make islets of greenery and

1. The Blacks like to account for the peculiarities of rocks and boulders, whose shapes and cavities invite comparisons. They tend to attribute these formations to the influence of men or demigods. They gave the name of "Bayanga's little beer boat" (umuvule) to another depression located near the preceding one and which to their eyes had that appearance. All around

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the "little boat" there are cavities or small holes upon which the Mututsi Bayanga, according to the same tradition, placed the beer jars (ibiteleko by' ibibindi by' inzoga).

The torture spots sometimes borrowed their name from the first victim to be sacrificed there, such as Nkonde, Ruboneye, Nshimbo, etc.

break the monotony of that vast plain on which only herders and hunters roam.

Tradition adds that a Mututsi formerly lived not far from the pit and led his herds to water there.

His name, Bayanga, remained bound to the spot (urwobo rwa Bayanga). Cursed by some king whose name is now forgotten, the place was later deserted.

It seems, however, that the pit was not put to its new and tragic use until the reign of King Lwabugiri, who settled with his court in the middle of the Bugessera waste around 1886 or 1889 in order to be closer to the Urundi he hoped to conquer. The presence and proximity of the pit probably suggested to him the idea of tossing criminals and convicted political offenders into it. It was a short step from thought to deed. The first victims, at least those whose name has been preserved, date from the time of Lwabugiri's reign.

Since this is a remote place that inspires terror, it is known only to the executioners and to the few inhabitants of the Bugessera. Fancy took charge of this cursed place and wove fantastic tales about it which are naïvely believed by the populace. /383/

It is said that anyone who drinks of the water will die instantly. Even to wash one's hands in it or merely touch it would have the same result. It is said that a hunter who was a stranger to the land and who quenched his thirst at the pit contracted leprosy on the spot and died after horrible sufferings. This same water is said to be fatal

681 to birds and animals such as buffalo, gazelles, wild boars, dogs.
696 Even if the latter should not die immediately, their masters would
823 have to kill them for fear of being stricken themselves by contagion.

Each night, they say, smoke and flames rise from that awful place and cast a reddish glare on the horizon (1).

1. The grass fires at the end of summer must not be foreign to this association of thoughts and images.

It is also said that the waters have the color of blood (atukura, assa n'amarasso). Every time an offender is led to the pit, the waters rise suddenly as though to fetch the victim (ngw' abon' umugome, akassama). After swallowing their prey, the waters subside. Then protracted cries and moans (akaboroga, akater' induru) arise from the bottom of the pit.

The pit is so deep, it is commonly said, that its waters join those of Lake Kivu (ngw' aja hasi, afatanye n'i Kivu).

Considering such stories, one can easily understand why people should speak with terror of that cursed place.

681 In actual fact, the victims were strangled or killed with spears before they were thrown into the water.
696 An attempt was made to submerge the bodies, but they would rise once more to the surface. The hyenas quickly disposed of them. After leaving the place of torture, the executioners would go a certain distance to another depression, usually filled with water, in order to clean their weapons and wash their blood-stained hands. /384/

[848] Traitors and enemies, bewitchers and ranking political
[845] prisoners were not the sole victims of the accursed pit. Among those condemned to die at that sinister spot were also freak babies (ibimara),
[847] unwed mothers (ibinyandaro), children born during the period of mourning held for their father (inda y'amabi) sometimes along with
[826] their mother, young girls whose breasts had not grown (impenebere) (1)..., and calves born in a "faulty" manner (ubufuti), such as those whose legs... came first.

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1. Girls who reached marriageable age with this physical peculiarity were formerly regarded as an evil and a threat to the land. The small development of their breasts was considered a crime. They were called the girls "with undeveloped breasts," impenebere, from the verb guhenebera, meaning "to be limited," "to be brought to nothing."

681 whose legs...came first.

●696 Those beings, abnormal or regarded as such, were invariably condemned prior to European penetration. There was no pity for them. They had to be done away with secretly and at night, so as not to be denied passage through the land which had to be crossed. According to popular belief, the mere presence or accidental sojourn of one of those beings could unleash famine or other evils throughout the region.

Chapter 2

Duties of a Purely Utilitarian Nature

644 A. The employees of His Majesty's "Mouth" and "Cup" /departments/, that is to say, the cooks and domestic servants (Abahanga, "the Skillful Ones," and Abozi, "the Washers") have always been regarded as holding the least enviable position at court. The hut in which the servants keep the bowls of milk reserved for the king is /385/ designated by the name of kiryana, "the house that devours its inhabitants," since few are the men who survived their duties. After a varying length of service, they were suspected in [682] almost every case of planning to poison the king, and they died a

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661 Some examples will clarify the preceding statements. We may add that they were the last in this bloody serial, and that such things could not happen at the present time.

The most vulnerable servants were unquestionably those who were assigned to the king's kitchens or to the service of his meals, as well as those who were in charge of watching over his beer and milk and those who prepared his tobacco. So as not to extend the necrological list out of all proportion, since the other employees were far from being safe, we shall speak here only of victims belonging to the above-mentioned categories of servants.

Kiryana (from the word kurya, "to eat"), or the "House that devours" its inhabitants, such is the portentous name given to the hut where the bowls of milk reserved for the prince are kept.

Two or three keepers are assigned to this duty, which consists of cleaning the bowls, receiving the milk brought by the chiefs, and presenting it to the king once a day.

Of all vocations this is the most feared and the least envied. Numerous have been its victims, and numerous also those who ran far away to neighboring lands in order to avoid this dangerous honor.

This is why it was always assigned by force. It may be said that /474/ few of those men left their duties without having paid with their lives. The sovereigns, who also lived under a perpetual fear of poisoning and bewitchment and who were not in the least miserly about the blood of their subjects since it counted for so little in their eyes, did not hesitate to nurture a salutary fear in their entourage by striking blindly into the ranks of their servants. Those who fell served as examples to those who remained. It was a matter of inspiring terror and instigation their zeal. Thanks to his high intelligence and to his diviners and sorcerers, the king was believed to know everything which might be plotted in secret against him.

Some Concrete Instances

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696 A young man had been attached to this particular service /milk hut/ for about 15 years. Many a time his sovereign had assured him that he was satisfied with his services and that nothing would ever happen to him.

644 661 696 His assistants and colleagues kept vanishing, almost invariably struck by the bloody fate which clung to them and to their position. He alone remained untouched. To bind him closer the king plied him with gifts of goods and cattle.

Whenever an anxious thought disturbed his heart, he would think about all the things he possessed, about the royal favor, and about all that he could still expect. There came a time when the queen mother, influenced by rivals and envious men, began to persecute him. No matter how much our man defended himself, calling upon the guarantee he had offered by drinking the test poison and expressing in a most touching fashion the feelings of loyalty which he nurtured toward the royal family, the suspicions which rested upon him merely grew. The queen mother, who always held a sword in her hand, soon came to thrusts with it. While our unfortunate man was fulfilling his duties toward the king and /475/ serving him some drink, he felt the point of the sword graze his body many times. "Traitor, poisoner, son of a dog" (umwana w'imbga), such were the epithets that greeted his appearance. The prince at first seemed to defend him. He even told him privately that he did not believe the calumnies circulated against him, that everything would be all right, that his enemies would be exposed, and that the queen mother would eventually trust him once more.

The days went by, the animosity of the mother did not decrease, and now the king intervened only for the sake of appearances.

One evening, at nightfall, the unfortunate occupant of the "hut that devours" felt himself seized by strong arms.

Alone and taken by surprise, he did not put up any resistance. He was led to another hut.

He was laid upon the ground, firmly bound, and his hands tied behind his back. He vainly appealed to the mercy of his jailers, swearing his innocence.

They retorted that they were merely carrying out royal orders, and that their own life was at stake.

This the prisoner could well understand. Soon he was left to himself and to his own thoughts. Constrained tightly by his bonds, unable to move, and troubled about the fate that awaited him, the

644 661 696 unfortunate man grieved. He was prey to the most bitter thoughts when three lugubrious shadows surged forward into his prison from the midst of darkness and came toward him. . . . It must have been about eight o'clock. Two sticks grazed his neck as though to grip him in a vice. He was going to be strangled. In a convulsion of despair, the man who was about to die managed to break the bonds which held his hands and arms. In a flash he grasped both sticks by one end and set up fierce resistance against the efforts of those who wished to kill him, while emitting heart-rending cries, shouting for help, and proclaiming his innocence to the surrounding echoes. The huge agglomeration of /476/ royal huts resounded with the screams of this man who held on to life desperately. . . . No one could fail to know what was going on.

People were familiar with those shrill, heart-rending wails, which had pierced the air more than once. Everyone's heart tightened with emotion, but each person, in fear of the master or the envious men, maintained an impassive or scoffing expression as befits those who live in uncertainty about the future.

The victim struggled violently against his opponents, who could not manage to relax his hold. While two of the executioners attempted to free the sticks by beating him on the head and chest and kicking him, the third one rolled the victim, who was lying on the ground, in the opposite direction. The executioners, who were doing this work for the first time and had never yet killed anyone and who realized the odiousness of their task, trembled all over before the despair of the unfortunate man who had been surrendered to them.

The fight for life was reaching its climax, but it was obvious that victory would eventually rest with the group of opponents, who were able to move freely. Chance, or rather Divine Providence, willed it that a European who was passing through the capital should be with the king at that very moment.

Hearing the desperate cries that arose within the royal enclosure, the white man was moved and spoke heatedly to the prince. . . . The latter, feigning surprise and astonishment, hastened to the courtyard whence the cries rose, checked the stranglers, and returned forthwith to reassure his interlocutor.

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The man who was about to depart this life, exhausted by his efforts, had almost lost consciousness when he heard himself called by a voice which pretended to be compassionate. It was the king himself, feigning pity. He gave his ex-favorite some beer to drink, had him set on his feet, and asked him to follow, promising /477/ to release him. He had never believed in his guilt, he added, and therefore would soon restore his freedom. His goods would be returned to him, and he would resume his functions at court.

It was only a matter of a couple of hours. The poor captive, staggering at each step under the grip of emotion and weakness, was led to a sort of brick building used as a prison. The door was closed upon him.

He found there a fellow captive who sympathized with his misfortune. More fortunate than he, the other man received food and pombe from the outside, which he shared forthwith. The prisoner, who felt that his last hour had come, regained some courage and the strength needed to undertake a new fight for life.

The honeyed words of the king had not fooled him. He knew that the matter had merely been postponed and that soon he would be fetched again. His companion, who was familiar with the mores of the capital, made no attempt to contradict him. Fearing nothing for himself because he was a noble and too well known to be dispatched secretly, he was full of pity for the man who was about to die. Certain of his fellow-prisoner's trustworthiness and encouraged by his advice, the unfortunate servant tried to shake the door open and weighed upon it with all his might. Nothing could be achieved there, however, for it was shut tight. His efforts were in vain. The planks were nailed solidly and resisted his blows and the pressure of his knees. Time was short, however, for the executioners could arrive at any moment.

The prisoner, in whom the desire to live was stronger than the death which threatened him, managed to climb the dry-brick wall by using his feet and hands. The building was several years old, and the soil which had been used as mortar had disintegrated in the course of time, offering occasional holds to fingers and nails actuated /478/ by an iron will. The head of the climber reached the thatch roof.

644 The man quickly broke through the wood and bamboo of the framework.
661 He was just in time. The door of the prison opened at the same
696 moment, and the executioners came in to seize the condemned man. The latter took off and hurled himself into space. The wall was fortunately of moderate height. The fugitive nevertheless sprained himself slightly in falling upon his feet. Not having had time for thought, he had merely obeyed the instinct for self-preservation. The imminence of danger lent him wings, for his leap had drawn the attention of those who vainly sought him inside.

The alarm was sounded, and the fugitive pursued. He did not lose his head, however. Instead of risking capture, which was bound to result if he placed all his trust in flight, our man, who had some headway over his pursuers, hid in the capital itself at the home of a friend he trusted completely. It was to be expected that searches would be made in the huts. In order to avert this new danger, one of the long baskets used to store beans inside the huts was readied to provide the fugitive with a foolproof hiding place.

For further safety his head was covered with beans which allowed him to breathe sideways but which were sure to defeat the searchers' quest. All inspections and investigations among the inhabitants were in vain. When vigilance had relaxed a little, the lucky fugitive took advantage one evening of the shades of night to leave forever that tragic place which had nearly become his grave. His flight was discovered some time later. Under directives from higher sources, the local chief had the hut surrounded. Its owner managed to escape in time.

The affair had become known, and furthermore the country had come increasingly under the sway of European administration. The latter /479/ heard of the matter. A trial took place which did not turn out in favor of the persecutors.

As a result, the fugitive was not disturbed again.

Many years have passed since this moving episode. The memory of those frightful events has nevertheless remained painful to the hero of the tragedy, who does not like to recall the past. The stubborn scars which cross his face, chest, and arms corroborate the seriousness of the episode that nearly killed him. He has met

644 since more than once with his neophyte executioners, who did not
661 fail to congratulate him with some embarrassment while apologizing
696 for the odious task which had been entrusted to them. "Some luck
thou had!" they already told him (wagiz' Imana). "What an ugly
business the king had entrusted to us!"

"Good for thee, if you managed to get out of such a tight corner." A little later he was even presented to the king, who was first taken aback. He recovered himself quickly and congratulated him in turn. "It was God who saved you (N'Imana yagukijije)," he added. In gratitude to God, Who had rescued him from such a difficult situation, the lucky fugitive changed his name from Ngirimandwa [553] ("The spirits of the initiates are on my side") to Ngirimana, which means "I have God (on my side)."

After a whole string of circumstances, all equally eventful and dramatic, the outcome had finally turned out in Ngirimandwa's favor.

For one fugitive who was able to narrate in detail the vicissitudes of the drama that nearly killed him, however, how many unfortunate ones vanished into the fatal den without a trace!

Now that the times have changed, elders whose lips were formerly sealed by the rule of secrecy and by the fear of corporal punishment, freely mention the names of unfortunate executed men they knew. They recall among many others a young man who had been a page. /480/ His intelligence, ability, and liveliness had drawn the notice of the sovereign to him, who made him his favorite and could not do without him. As in the previous case the years went by and the prince's favor was transferred elsewhere.

[539] "A king's friendship, a day's friendship," says the proverb.

He had been practically forsaken and was hardly noticed anymore, when one day he was requested to work in the famous "bloody hut."

What had he done that his fate should be so irreparably settled? That is practically unknown.

About eight days after he had received his new job, he was summoned in great haste as though for some pressing errand. It was

644 the queen mother who had called him. She wanted news of a court
661 lady who had just given birth.
696 This woman lived a short distance from the capital. Night fell. The messenger set out on his way. He was accompanied by a chief and by a factotum.

They reached the edge of a swamp of sinister fame where summary executions were formerly performed.

The young man, guiltless and carefree, walked in front. He was struck from behind. . . and has never been heard of since.

Another occupant of the hut with the portentous name, just as peaceable as the preceding one but older, was brutally seized in turn when he least expected it, after being designated by the diviners' bones. . . . First he managed to run away and hide at a friend's house. When he attempted to return to his own village, however, he was recognized and captured along the way by a chief who led him back to the capital. He was tossed into prison where he was joined during the night by sinister-looking men. They held in their hands large milk jars which they used to crush his jaw and face. The prisoner, tightly bound as the Blacks know how to do, was stretched upon the ground /481/ and unable to make the least motion. Kicks and blows fell thick and fast upon the chest and stomach of the unfortunate man whose body soon became a single wound.

He was finished off by strangulation.

Several groups of young girls were also killed, some under the fallacious pretext of having poisoned the tobacco they prepared, others for having stolen bead necklaces. The latter, after they had confessed, were first thrown into prison. A day or two later, they were taken out and led to the queen mother, who feigned reconciliation and pardon and received them with great displays of joy. Hydromel was served to them in large quantities. A deep sleep took hold of them. Then the executioner came and strangled them. . . .

681 In order to give an idea of the frequency of executions and
696 variety of corporal punishments, we shall give here a sort of
644 necrological list that includes the names of the victims and the circumstances of their death.

681 This list, which is incomplete, covers a period of some 20
696 years just before the Europeans took possession officially.
644 We list these data, of course, without vouching for their accuracy. We cannot guarantee the authenticity of every victim, and still less that of the details of the executions. We can only relate popular reports that are sometimes or even frequently suspect in their statements and evaluations.

Victims of the "Milk House"

1. Lwandenzi, of Mututsi /Batutsi/ race, originally from the Bgana-Chambge, was led into the Bugessera forest.

His executioners tied him to a tree and cut off his feet (kumusongor' ibirenge). /482/

2. Lutindamateme, an Umututsi from the village of Ntenyo (Nduga), was first bound, then killed with a spear thrust and thrown into the Ruboneye swamp.

3. Lwanyonga, a Mututsi, died in the same way at the the same time as the preceding man.

His corpse was cut into pieces by sorcerers, who wanted to hinder his spirit from harming the king.

4. Minega, son of a certain Bushakiro, a Mututsi from Mwendo (Nduga), had his throat slit in the Bugessera forest.

5. Gahima, son of Nyarwambari, a Mututsi from Gassaka (near Gisseke), was clubbed to death in the inner courtyard of the palace.

6. Munyagishari, a Mututsi, was killed with spear thrusts and thrown into the Ruboneye swamp.

7. Gakwise, of Muhutu /Bahutu/ race, suffered the same fate.

8. Karara, a Muhutu, died the same death.

9. Ntagwabira, a Muhutu, died like the preceding.

10. Ibingira, a Mututsi, also died in the same manner.

11. Butama, a Muhutu, was clubbed to death.

12. Majanjo, a Mututsi, strangled himself in prison to escape the corporal punishment which awaited him.

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13. Kajigiri, a Mututsi from the Gissaka country, was first bound. His executioners lifted him several times and dropped him on his head. He was finished off with club blows.

14. Lwamiheto was given numerous blows by club. He was released almost immediately and died three months later of the brutalities he had suffered, according to public opinion.

15. Kayonga and his son, after many vicissitudes, were slain with spear thrusts and thrown into the Ruboneye swamp.

Victims on Other Counts

1. Bigutu and Balikage, the latter a son of Bisango and chief of the Bgishaza provinces, were killed while the court was settled at Kamonyi, after having been accused of opposing the new regime. /483/

2. The great Mututsi /Batutsi/ chief Lutishereka, his sons, and some of his followers had their throats cut while the court sojourned at Mukingo. This was done at the instigation of Luhinankiko, who blamed that high dignitary for inciting one of Lwabugiri's sons to murder his friend Baryinyonza.

3. Serukenyinkware, from the Mututsi /Batutsi/ clan of the Bachumbi, was accused of the same crime. He was cut to pieces while the court was staying at Mwima.

[685] 4. Three employees of the court, at Nyanza, were caught killing a cow which they had stolen from the king.

They were condemned to death by spearing, and they made it a point of honor not to utter the slightest cry of pain.

5. A young Mututsi, after being bound and beaten with rods all through the day, was dragged still alive by the feet, into the swamp, where he was finished off by the Batwa.

[683] 6. Two inhabitants of the village of Musumba (Nduga), named Lukesha and Lugingabahizi, had their hands and feet cut off for a crime of bewitchment. The two poor devils were held responsible because Lwibishenga, a brother of the queen mother, had almost lost his sight as a result of yaws.

7. Two Bahutu were shot point blank in the palace courtyard for a crime of espionage.

[681] 8. A slave (umuja) was struck down along the road at night after she had been advised to leave court and seek her fortune elsewhere. She was punished for not having watched closely enough over the moral behavior of two young princesses of royal blood.

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9. Luhinankiko, a son of Queen Mother Nyirayuhi, was stripped of his property for having had Lutishereka killed. He even had to flee to Urundi, where he spent some 15 years.

Since Kabale, the regent, could not take his revenge upon him as he would have wished, he turned upon his friends and followers. /484/

Chaka, who was Luhinankiko's son-in-law, and Sebuharara and Rulinda, who were his protegés, were attacked in the Buganza by the men of the powerful minister. Defeated and unable to flee, they shut themselves up in a hut, set fire to it, and perished in the flames.

Kaningo, who belonged to their faction, was stripped of his property. On the point of being caught and knowing what awaited him at the capital, he also burned himself in his hut.

[683] 10. The Banyarwanda still remember the corporal punishment inflicted upon the six "poisoners" (1) led to Nyanza by chief Kanuma.

1. This is how the individuals suspected of the alleged crime of bewitching are designated.

These unfortunate persons had their hands and feet cut off.

11. Nyantanyi, son of Semakamba, as surrendered by Musinga to Gashamura, son of Lukagirashamba. Lwamwa, one of the latter's sons, had been killed at Ndolandi, a land he wished to conquer, by Nyantanyi's men. His relatives, the Batsobe, complained to the king, who gave them satisfaction by handing the local chief over to them.

Nyantanyi was bound and led outside the palace by Gashamura and his followers. Lwamwa's son stabbed him first in the side with a spear, and almost immediately 20 or 30 spear thrusts laid him low.

[628] His head and right hand were cut off to be shown to the other followers, as was done in vendettas. One detail is to be noted: Gashamura was Nyantanyi's uncle by marriage and his father-in-law.

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Sentashonga, the victim's cousin, was granted permission that evening to have the corpse of his relative buried.

The elders and former habitués of the court do not lack for narratives of this kind, which they relate like any other tale without seeming overly shocked by them. Such is the environment, such are the mores and attitudes. /485/

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"The king is the master," they say. "He does as he pleases. The decisions he makes cannot be contested. He is the supreme judge. One can only obey and assent." The victims' relatives were sometimes the first to come and greet him, feigning total impassiveness, forced as they were to drive back to the bottom of their hearts the bitter pain which they could not but feel.

Complaints, wails, and recriminations could only have stirred up the anger of the king and given rise to new slaughters.

While looking after his own safety, every person also had to keep in mind that of his people /relatives and friends/. The latter, indeed, might be held responsible for the deeds and actions, no matter how harmless, of any of their fellow members. The extermination of a whole family formerly weighed very little on the scale of royal justice.

So as not to provoke trouble which might prove fatal, therefore, they put a good face on misfortune. These executed, however innocent they might have been, were claimed in loud voices to have been cursed men (ibichibga) or rebels. To shed tears or express one's sorrow were crimes of high treason. "A mere whim of the master was sufficient to send a person to punishment. What won't one do to avoid so cruel a fate?" This statement made by a court favorite of the previous reign /avant-règne/ reveals a great deal about the mores of the time. "If the king happened to sprain his foot," added the same man, "to knock against some obstacle or pebble, it was not a good idea to meet with him at that moment."

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In his anger the monarch might accuse anyone of having bewitched him, and wreak then and there a signal vengeance.

Professional executioners were not always used for this purpose. The king might call upon any member of his retinue to carry out the task. The person had to comply, no matter how revolted he might

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643 be /486/ by this dreadful assignment. Hands unpracticed in dealing
661 death might sometimes fumble, but the master was watching and
686 the task had to be carried through. The fact of being a friend of the victim did not exempt anyone from this odious task.

As a rule and with some rare exceptions, it may be said that the subjects were not inordinately appalled by such assignments, so much was this an accepted custom of the times.

186 This did not prevent the Banyarwanda from regarding themselves as superior to other Blacks, whom they thought to surpass in intelligence and civilization. Despite the stains and stigmas of the past, they reject with irritation the term Shenzi, which is applied exclusively to noncivilized groups, as not applying in any way to them or to their ancestors. It is good to close the tale of these cruel practices and to feel that the curtain of time has been drawn forever over the past.

III. Poisoning and Bewitching: The Use of Charms and Philters

754 What should we really believe about those victims whose death is attributed to bewitchment or poisoning? The Blacks unquestionably mention this constantly. Their credulity in this connection is universal and extraordinary.

Numerous examples are cited of deaths which are said to have resulted from one or the other of those alleged causes.

We may add that the natives are familiar with numerous methods for bewitching their enemies, and that sorcerers in this evil category, both male and female, are found in great numbers throughout the country. One thing is certain: their superlative reputation is worse than their deeds.

As for crimes of poisoning, one may rest assured that such attempts were made and that toxic materials were used to this end, some of which were extracted locally and others purchased in neighboring regions such as /487/ the Uswi and Bunyabungu. How effective were those poisons? This is not easy to determine since, on the one hand, a true case of poisoning has never actually been witnessed, although the Blacks are absolutely convinced that they do occur

692 "to Musinga" simply meant the place of his residence. The judge to whom these people were going was Rwamanwa, high chief of Njaruguru.

If the two parties have different chiefs, the trial is conducted at the compound of the more powerful one, since otherwise, because of injured vanity, he could make it impossible to carry out the verdict. If the two chiefs cannot reach an agreement, they go to a third party or to the king, who usually appoints a judge.
[643] The king personally handles only the most important affairs of his bagaragu, but even that he does unwillingly.

695 The Trial. Certain forms are observed at trials. The two parties squat on the ground in front of the judge and greet him by clapping their hands. Otherwise only the king is greeted in this way. Then each in turn tells about the matter under dispute.

After the verdict of the judge, the winner immediately rises, takes some grass, and lays it at the feet of the judge in gratitude and as a token of his subservience. He then sings a song of praise in which (in Mulera, for example) he boasts about the number of enemies he has killed.

People sometimes wait in Nyanza two or three months for a trial, and finally the hearing is postponed until the next year. The chiefs do this also. They are afraid of endangering themselves by a sentence of incalculable scope.

● 696 Executing a sentence is the weak side of primitive justice. There is no organ of the government that would attend to the execution of the decree. Even the decisions of the king are by no means always carried out.

Sometimes, to ensure the execution of the sentence, the guilty party is held prisoner by the winning party until he has fulfilled his obligations.

The sentence is said to be carried out at the place of residence of the two parties. For this purpose the king sends a special messenger. He must inform the population of the decision, in disputes about land he must mark out the sections, and in cases involving cattle, divide up the herds.

Because of the long duration of these cases, which gives all the court schemers an opportunity to fish in troubled waters, the winning party sometimes leaves the capital before the king's

696 messenger has been dispatched. In that case the other party travels with the messenger in order to bribe him. It is not uncommon for the messenger to accept large gifts from both parties and then not do anything. The high chiefs use this opportunity to visit their lands. The case is adjourned; new, important circumstances are discovered that have not yet been considered; and the proceedings begin all over again.

691 [282] At the time of my visit in Mulera the legal dispute between the Barashi chief, Lukara Iwa Bishingwe, and Luhanga, the client of Nshohozamigo, was in its fourth year. Each year sentence was pronounced; each year the court messenger was sent off; and each year the two parties returned. In the end Musinga grew tired of the whole affair and kept Lukara at court. After Lukara had obtained permission from Musinga to return home, on the pretense of conducting me to Mulera, he decided to resort to the final argument, to warfare. He attacked Luhanga's people and engaged in a skirmish with the column of my expedition colleague, the geologist E.F. Kirschstein, whose presence the Batutsi tried to use for their protection.

In the end, in its seventh year, the dispute was settled in Luhanga's favor when Lukara was obliged to flee from the German sphere of influence for his murder of the missionary, Father Paul Loupias. Later he was captured and hanged.

A considerable number of trials deal with the withdrawing of grants and the practice of blood revenge (kuhora enzigo) for slain clan members.

If A is granted a cow by B, B has a certain power over A. He can exert pressure on A by threatening to take back the cow. If A, however, also gets cows from C, who is more powerful than B, the latter's influence diminishes. In some cases A becomes so dependent on C that B loses his influence and moreover his cattle in favor of C. These property shifts give rise to vastly complicated suits over cattle that last for decades and become more and more complicated by small compromises, the legality of which is later challenged.

691 426 686 In civil cases we find the institution of kugombeka. If A is indebted to B and does not pay him or refuses to return something granted him and now demanded back, A can be distrained. If